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Approved for use through 08/30/2003. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/788,301	
	Filing Date	02/16/2001	
	First Named Inventor	Sercel	
	Art Unit	2874	
	Examiner Name	John D. Lee	
Total Number of Pages in This Submission	80	Attorney Docket Number	ALG10NP

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (74 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (two copies)	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	- Request for continued examination
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<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Alavi	Reg. No. 40310
Signature	<i>NSL</i>	
Date	03/24/2004	

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Faxed to 703-872-9306 on 03/24/2004

Typed or printed name	David S Alavi	Reg No 40310
Signature	<i>NSL</i>	Date 03/24/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 860)

**Complete If Known**

Application Number	09/788,301
Filing Date	02/16/2001
First Named Inventor	Sercel
Examiner Name	John D Lee
Art Unit	2874
Attorney Docket No.	ALG10NP

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card		
<input type="checkbox"/> Deposit Account:	<input type="checkbox"/> Money Order		
<input type="checkbox"/> Deposit Account Number	<input type="checkbox"/> Other		
<input type="checkbox"/> Deposit Account Name	<input type="checkbox"/> None		
The Director is authorized to: (check all that apply)		3. ADDITIONAL FEES	
<input type="checkbox"/> Charge fee(s) indicated below		Large Entity Small Entity	
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			
1. BASIC FILING FEE			
Large Entity Small Entity			
Fee Fee Fee Fee			
Code (\$) Code (\$) Code (\$) Code (\$)			
1001 770 2001 385		Utility filing fee	
1002 340 2002 170		Design filing fee	
1003 530 2003 265		Plant filing fee	
1004 770 2004 385		Reissue filing fee	
1005 160 2005 80		Provisional filing fee	
SUBTOTAL (1) (\$)			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims		Extra Claims	
Independent Claims		Fee from below	
Multiple Dependent		Fee Paid	
Large Entity Small Entity			
Fee Fee Fee Fee			
Code (\$) Code (\$) Code (\$) Code (\$)			
1202 18 2202 9		Claims in excess of 20	
1201 86 2201 43		Independent claims in excess of 3	
1203 290 2203 145		Multiple dependent claim, if not paid	
1204 86 2204 43		** Reissue independent claims over original patent	
1205 18 2205 9		** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			
*or number previously paid, if greater. For Reissues, see above			
3. ADDITIONAL FEES			
Large Entity Small Entity			
Fee Fee Fee Fee			
Code (\$) Code (\$) Code (\$) Code (\$)			
1051 130 2051 65		Surcharge - late filing fee or oath	
1052 50 2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130 2053 130		Non-English specification	
1812 2,520 2012 2,520		For filing a request for <i>ex parte</i> reexamination	
1804 920* 2004 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840* 2005 1,840*		Requesting publication of SIR after Examiner action	
1251 110 2251 55		Extension for reply within first month	
1252 420 2252 210		Extension for reply within second month	
1253 950 2253 475		Extension for reply within third month	
1254 1,480 2254 740		Extension for reply within fourth month	
1255 2,010 2255 1,005		Extension for reply within fifth month	
1401 330 2401 165		Notice of Appeal	
1402 330 2402 165		Filing a brief in support of an appeal	
1403 290 2403 145		Request for oral hearing	
1451 1,510 2451 1,510		Petition to institute a public use proceeding	
1452 110 2452 55		Petition to revive - unavoidable	
1453 1,330 2453 665		Petition to revive - unintentional	
1501 1,330 2501 665		Utility issue fee (or reissue)	
1502 480 2502 240		Design issue fee	
1503 640 2503 320		Plant issue fee	
1460 130 2460 130		Petitions to the Commissioner	
1807 50 2807 50		Processing fee under 37 CFR 1.17(q)	
1808 180 2808 180		Submission of Information Disclosure Stmt	
8021 40 2021 40		Recording each patent assignment per property (times number of properties)	
1809 770 2809 385		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770 2810 385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770 2801 385		Request for Continued Examination (RCE)	
1802 900 2802 900		Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 860)	

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	David S Alavi	Registration No. (Attorney/Agent)	40310
Signature	<i>David S Alavi</i>	Telephone	541-686-9462
		Date	03/24/2004

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Faxed to 703-872-9306 on 03/24/2004

Docket No. ALG10NP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Sercel et al  
Filed: 02/16/2001  
App. No.: 09/788,301  
For: Resonant optical power control device  
assemblies

Art Unit: 2874  
Examiner: John D. Lee

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR §1.114**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

03/24/2004

Sir:

In response to the Office Action dated 09/24/2003 and made Final, Applicants hereby request continued examination of the above-named application. Please amend the above-named application as set forth hereinbelow. The amendments are presented in accordance with the Revised Amendment Practice set forth in 37 CFR § 1.121 effective 07/30/2003.

The Amendments and Remarks set forth herein are identical to those set forth in an After-Final amendment submitted 12/19/2003 by Express Mail. A date-stamped return postcard was received from the Office, but the amendment has never been acknowledged by the Office and has never appeared in the PAIR system. The amendment was believed address all objections and rejections set forth in the final Office Action, and to place the application in condition for allowance.

Since no acknowledgement of the previous response has been received, and to avoid unintentional abandonment of the application, this request for continued examination has been submitted. Also submitted herewith are the petition and fee required for a three month extension of time.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of Claims which begins on page 3 of this paper.

**Remarks** begin on page 74 of this paper.